

# **TOWN OF DAVIE**

## **TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Council Members

**FROM/PHONE:** Don DiPetrillo, Fire Chief, (954) 797-1211

**SUBJECT:** Resolution

**AFFECTED DISTRICT:** All Districts

**TITLE OF AGENDA ITEM:** A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN TO EXECUTE AN AMENDMENT TO THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR THE DEVELOPMENT OF A CONTINUITY OF OPERATIONS PLAN FOR HOMELAND SECURITY IN ORDER TO EXTEND THE TERMINATION DATE.

**REPORT IN BRIEF:** In May 2003, the Town of Davie executed an agreement with Broward County for \$25,000 in FEMA pass-through grant funding for the Town to develop a Continuity of Operations Plan (COOP) for Homeland Security. The proposed amendment extends the agreement termination date from October 16, 2003 to April 16, 2004. The amendment specifically modifies the dates on which the deliverables are due, adjusts the percentage of award reimbursement available in each reporting period, and extends the termination date. All other terms and conditions of the agreement remain the same.

**PREVIOUS ACTIONS:** Resolution R-2003-74 which approved the interlocal agreement.

**CONCURRENCES:** N/A

**FISCAL IMPACT:** None

Has request been budgeted? N/A

If yes, expected cost:

Account Name:

If no, amount needed: N/A

What account will funds be appropriated from: N/A

**RECOMMENDATION(S):** Motion to approve this resolution

**Attachment(s):**

Resolution  
Amended Agreement

RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN TO EXECUTE AN AMENDMENT TO THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR THE DEVELOPMENT OF A CONTINUITY OF OPERATIONS PLAN FOR HOMELAND SECURITY IN ORDER TO EXTEND THE TERMINATION DATE.

WHEREAS, on May 5, 2003, the Town of Davie executed an interlocal agreement with Broward County to receive pass-through funding from the Florida Division of Emergency Management (FDEM) and the Federal Emergency Management Agency (FEMA) for the development of a Continuity of Operations Plan for Homeland Security (COOP); and

WHEREAS, FDEM and Broward County have received a grant extension from FEMA; and

WHEREAS, Broward County has provided an amendment to its interlocal agreement with the Town of Davie in order to extend the termination date of said agreement from October 16, 2003 to April 16, 2004 and to modify due dates of deliverables as appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie hereby approves the first amendment to the interlocal agreement with Broward County for the development of a Continuity of Operations Plan (COOP) for homeland security.

SECTION 2. The Town Council hereby authorizes the Town Administrator and/or appropriate departmental staff to execute agreements and documents associated with the amendment.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003.

**FIRST AMENDMENT TO AGREEMENT**

**Between**

**BROWARD COUNTY**

**and**

**TOWN OF DAVIE**

**for**

**CONTINUITY OF OPERATIONS PLAN FOR HOMELAND SECURITY**

This Amendment is made and entered into by and between: **BROWARD COUNTY**, a political subdivision of the state of Florida, hereinafter referred to as "**COUNTY**,"

**AND**

**TOWN OF DAVIE**, a Florida municipal corporation, hereinafter referred to as "**TOWN OF DAVIE/SUBCONTRACTOR**."

**WHEREAS**, the **COUNTY** and **TOWN OF DAVIE/SUBCONTRACTOR** entered into the agreement to establish a Continuity of Operations Plan for Homeland Security; and

**WHEREAS**, the State of Florida, Department of Community Affairs has offered an agreement extension to allow time to better achieve the objectives outlined in the Scope of Work.

**NOW, THEREFORE**, the parties agree to modify the above-referenced Agreement as follows:

- A. ARTICLE (3), TERM AND TIME OF PERFORMANCE**, is amended to read as follows:
  - 3.1** The term of this Agreement shall begin on the date it is fully executed by both parties and shall end on April 16, 2004; provided, however, if the term of this Agreement extends beyond a single fiscal year of **COUNTY**, the continuation of this Agreement beyond the end of any fiscal year shall be subject to the availability of funds from **COUNTY** in accordance with Chapter 129, Florida Statutes. No deliverables shall be accepted after April 1, 2004 and no request for payment or invoices shall be accepted after April 10, 2004.

- 3.2 All duties, obligations, and responsibilities of TOWN OF DAVIE/SUBCONTRACTOR required by this Agreement shall be completed no later than April 1, 2004. Time shall be deemed to be of the essence in performing the duties, obligations and responsibilities required by this Agreement.

B. EXHIBIT (A), SCOPE OF WORK, is amended to read as follows:

- 1 1st Contract Period - Deliverables due May 30, 2003 or date interlocal agreement is signed, whichever is later.
  - a. Identify COOP Coordinator for project.
  - b. Agency list for the development of the COOP for six critical services: Fire/Rescue, police/sheriffs, Emergency Management, 911 Communications, EMS/Ambulance, Public Works/Engineering.
  - c. Strategy and Program Management Plan for the municipal COOP plans.
  - d. Estimated Budget Plan for the municipal COOP Plans (see attachment "Anticipated Expenditures" for format).
  - e. Reimbursement request for 10% of contract award.
2. 2nd Contract Period - Deliverables due August 29, 2003.
  - a. Municipal Critical Resource Requirements, Capability Analysis and Vulnerability Assessment for the six critical services.
  - b. Municipal Review Results to include list of authorities and references.
  - c. Outline for municipal COOP for six critical services.
  - d. Updated Strategy and Program Management Plan for municipal COOP.
  - e. Reimbursement request for 30% of contract award.
3. 3rd Contract Period - Deliverables due November 28, 2003.
  - a. Draft of municipal COOP for six critical services (electronic format and hard copy).
  - b. Updated Strategy and Program Management Plan for municipality.
  - c. Reimbursement request for 30% of contract award.

4. 4th Contract Period - Deliverables due April 1, 2004.
- a. Final Version of municipal COOP for six critical Services (electronic format and hard copy).
  - b. Any applicable documentation to substantiate integration of COOP Plans for six critical services into municipal Comprehensive Emergency Management Plan or other applicable emergency planning documentation.
  - c. Develop and provide to COUNTY a checklist for COOP implementation.
  - d. Reimbursement request for 30% of contract award.
  - e. Closeout final documentation.
- C. Exhibit (D), Municipalities' COOP Plans 1<sup>st</sup> Quarterly Progress Report, is modified such that "1st Contract Period - Deliverables due May 30, 2003 or date interlocal agreement is signed, whichever is later."
- D. Exhibit (D), Municipalities' COOP Plans 2<sup>nd</sup> Quarterly Progress Report, is modified such that "2nd Contract Period - Deliverables due August 29, 2003."
- E. Exhibit (D), Municipalities' COOP Plans 3<sup>rd</sup> Quarterly Progress Report, is modified such that "3rd Contract Period - Deliverables due November 28, 2003."
- F. Exhibit (D), Municipalities' COOP Plans 4<sup>th</sup> Quarterly Progress Report, is modified such that "4th Contract Period - Deliverables due April 1, 2004."

Other than as amended, all other terms and conditions of this agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have made and executed this First Amendment to Agreement: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice-Mayor, authorized to execute same by Board action on the \_\_\_\_ day of \_\_\_\_\_, 2003.

COUNTY

ATTEST:

BROWARD COUNTY, by and through  
its Board of County Commissioners

\_\_\_\_\_  
Broward County Administrator, as  
Ex-officio Clerk of the Broward County  
Board of County Commissioners

By \_\_\_\_\_  
Diana Wasserman-Rubin, Mayor  
\_\_\_\_ day of \_\_\_\_\_, 2003.

Insurance requirements  
approved by Broward County  
Risk Management Division

Approved as to form by  
EDWARD A. DION, County Attorney  
for Broward County, Florida  
Governmental Center, Suite 423  
115 South Andrews Avenue  
Fort Lauderdale, Florida 33301  
Telephone: (954) 357-7600  
Telecopier: (954) 357-7641

By \_\_\_\_\_

By \_\_\_\_\_  
Robert E. Hone  
Assistant County Attorney

CITY

WITNESSES:

TOWN OF DAVIE/SUBCONTRACTOR

\_\_\_\_\_  
Signature

By \_\_\_\_\_  
Mayor-Commissioner

\_\_\_\_\_  
Print Name

\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Print Name

day of \_\_\_\_\_, 20\_\_\_\_

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk

By \_\_\_\_\_  
City Attorney

(SEAL)

REH:as  
COOP.amd1  
06/26/03  
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